

Application No. 09/610,305

REMARKS

Claims 1, 2 and 4-6 are pending in this application. By this Supplemental Response, Applicants respectfully submit additional comparative data in a Rule 132 Declaration and provide the following remarks. In view of the following remarks, reconsideration and allowance are respectfully requested.

Claims 1-24 stand rejected under 35 U.S.C. §103(a) over any of U.S. Patent No. 5,879,790 to Sogabe et al. ("Sogabe"), U.S. Patent No. 5,837,382 to Hiyashi et al. ("Hiyashi"), or U.S. Patent No. 6,210,794 to Nakamura ("Nakamura"). The Office Action asserts that the claimed recording medium, having a peel layer and ink layer as claimed, involved experimental modification and mere optimization of the operating conditions of these references. The Office Action requested additional evidence of unexpected results from the claimed recording medium.

The data in the Rule 132 Declaration, submitted herewith, shows that a recording medium within the scope of the claims has superior properties to anything taught or suggested in the prior art. Specifically, Comparative Examples 5-10 demonstrate that recording media with an ink layer having a styrene resin/binder component ratio of greater than 50/50 produced poor results when evaluated for applicability to non-coated paper, sharpness and rub resistance. Conversely, Examples 9 and 10 demonstrate that recording media having a peel layer that includes candelilla wax and an ink layer that includes styrene resin and a binder component including ethylene-vinyl acetate copolymer, wherein the weight ratio of the styrene resin to the binder component ranges up to 50/50, had clear printing qualities and excellent image sharpness at even the maximum printing speed (12 ips). The cited references do not teach or suggest that the claimed combination of components would produce these superior results.

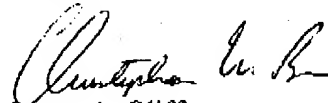
Application No. 09/610,305

For at least this reason, as well as the reasons set forth in the October 3, 2003 Amendment, Sogabe, Hiyashi and Nakamura, alone or in any combination, would not have rendered obvious the claimed thermal transfer recoding medium. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2 and 4-6 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

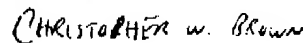


James A. Oliff

Registration No. 27,075

H. James Voeller

Registration No. 48,015



REG. NO. 38,025

JAO:HJV/tea

Attachment:

Declaration Under 37 C.F.R. §1.132

Date: January 16, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**Please grant any extension
necessary for entry;Charge any fee due to our
Deposit Account No. 15-0461